

## UNITED STATES DISTRICT COURT

CENTRAL

District of

MASSACHUSETTS

Derek Sincere Black Wolf Cryer

Plaintiff

V.

Massachusetts Dept. of Corrections,  
Kathleen Dennehy, Commissioner et al

Defendant

APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVIT

CASE NUMBER:

05 - 11289 RCL

I, Derek Sincere Black Wolf Cryer

declare that I am the (check appropriate box)

☒ petitioner/plaintiff/movant☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Part 2)

If "Yes," state the place of your incarceration

SHIRLEY MASSACHUSETTS

Are you employed at the institution? NO Do you receive any payment from the institution? NO

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer. April 11, 2005 date of last employment / I made \$5.00 a week for seven work days / Mike Nataro is the job assignment officer here at MCI Shirley Medium.

3. In the past 12 twelve months have you received any money from any of the following sources?

- |   |   |  |
|---|---|--|
| a. Business, profession or other self-employment  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends           | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments    | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances                          | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| f. Any other sources                              | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

The only gift's I ever receive is for my Birthday. Whenever I need money I'll have to call my Sister and ask her if she can send some so that I can buy necessities.

4. Do you have **any** cash or checking or savings accounts? ☒ Yes ☐ No

If "Yes," state the total amount. ~~115.00~~ \$ 120.25

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support. The only persons that I support whenever I can are three (3) children that from the "FEED THE CHILDREN" network. I would send them or try to send them \$8.00 a month but when I lost my institutional job, I couldn't afford to pay any longer. I would also help pay a phone bill to the persons who help me make phone calls to the courts for information as well as calls to religious organizations as I am unable to make such calls.

I declare under penalty of perjury that the above information is true and correct.

June 8, 2005  
Date

Derek Sincere Black Wolf Cryer  
Signature of Applicant

**NOTICE TO PRISONER:** A Prisoner seeking to proceed IFP shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF CORRECTION  
Inmate Transaction Report**

Date : 20050609 10:42

Page : 1

Commit# : W55424

MCI SHIRLEY (MEDIUM)

Name : CRYER, DEREK, J.

Statement From 20041201

Inst : MCI SHIRLEY (MEDIUM)

To 20050609

Block : C-2

Cell/Bed : 30 /30B

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
Total Transaction before this Period :						\$4,467.42	\$4,380.74	\$41.20	\$41.20
20041201 23:03	PY - Payroll	3752924		SHI	~20041114 To 20041120	\$5.00	\$0.00	\$0.00	\$0.00
20041202 08:31	ML - Mail	3757115		SHI	~TRAV EXP 53744840600 ~CRYER-GREEN, KIM, ,	\$100.00	\$0.00	\$0.00	\$0.00
20041202 08:31	MA - Maintenance and Administration	3757116		SHI	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20041207 17:00	IS - Interest	3781072		SHI		\$0.27	\$0.00	\$0.00	\$0.00
20041207 22:30	CN - Canteen	3793893		SHI	~Canteen Date : 20041207	\$0.00	\$52.40	\$0.00	\$0.00
20041208 23:05	PY - Payroll	3803654		SHI	~20041121 To 20041127	\$5.00	\$0.00	\$0.00	\$0.00
20041214 22:30	CN - Canteen	3828578		SHI	~Canteen Date : 20041214	\$0.00	\$36.56	\$0.00	\$0.00
20041215 23:04	PY - Payroll	3838185		SHI	~20041128 To 20041204	\$5.00	\$0.00	\$0.00	\$0.00
20041221 08:56	ML - Mail	3859104		SHI	~TRAV EXP# 53744843450~CRYER-GREEN, KIM, ,	\$100.00	\$0.00	\$0.00	\$0.00
20041221 22:30	CN - Canteen	3863721		SHI	~Canteen Date : 20041221	\$0.00	\$55.18	\$0.00	\$0.00
20041222 23:04	PY - Payroll	3874995		SHI	~20041205 To 20041211	\$5.00	\$0.00	\$0.00	\$0.00
20041224 09:12	ML - Mail	3885483		SHI	~WU# 08225871640~BROOME, HATTIE, ,	\$25.00	\$0.00	\$0.00	\$0.00
20041228 22:30	CN - Canteen	3897589		SHI	~Canteen Date : 20041228	\$0.00	\$23.28	\$0.00	\$0.00
20041229 23:03	PY - Payroll	3908126		SHI	~20041212 To 20041218	\$5.00	\$0.00	\$0.00	\$0.00
20050104 22:30	CN - Canteen	3927378		SHI	~Canteen Date : 20050104	\$0.00	\$38.62	\$0.00	\$0.00
20050105 23:03	PY - Payroll	3938565		SHI	~20041219 To 20041225	\$5.00	\$0.00	\$0.00	\$0.00
20050112 23:04	PY - Payroll	3971880		SHI	~20041226 To 20050101	\$5.00	\$0.00	\$0.00	\$0.00
20050113 17:06	IS - Interest	3982162		SHI		\$0.38	\$0.00	\$0.00	\$0.00
20050118 10:20	EX - External Disbursement	4003463	47445	SHI	~CHARITY~FEED THE CHILDREN	\$0.00	\$8.00	\$0.00	\$0.00
20050118 10:20	MA - Maintenance and Administration	4003464		SHI	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050118 22:30	CN - Canteen	4008014		SHI	~Canteen Date : 20050118	\$0.00	\$35.55	\$0.00	\$0.00
20050119 23:05	PY - Payroll	4015930		SHI	~20050102 To 20050108	\$5.00	\$0.00	\$0.00	\$0.00
20050125 08:13	ML - Mail	4051342		SHI	~TRAV EXP# 53744848586~CRYER-GREEN, KIM, ,	\$200.00	\$0.00	\$0.00	\$0.00
20050125 22:30	CN - Canteen	4055938		SHI	~Canteen Date : 20050125	\$0.00	\$28.38	\$0.00	\$0.00
20050126 23:03	PY - Payroll	4055098		SHI	~20050109 To 20050115	\$5.00	\$0.00	\$0.00	\$0.00
20050127 09:53	EX - External Disbursement	4049823	47536	SHI	~RELIGIOUS ITEMS (1 BLACK & 1 RED HEADBANDS)~SILVER HAWK	\$0.00	\$13.00	\$0.00	\$0.00
20050127 12:30	CI - Transfer from Club to Inmate A/c	4050380		SHI	~CANTEEN REFUND 1/11/05~W55424 CRYER,DEREK PERSONAL~KCN WASH ACCOUNT - ZS	\$0.90	\$0.00	\$0.00	\$0.00
20050127 13:00	EX - External Disbursement	4050464	47535	SHI	~BOOK~EDWARD R. HAMILTON BOOKSELLER	\$0.00	\$11.45	\$0.00	\$0.00

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF CORRECTION  
Inmate Transaction Report**

Date : 20050609 10:42

Page : 2

Commit# :	W55424	MCI SHIRLEY (MEDIUM)	
Name :	CRYER, DEREK,,	Statement From	20041201
Inst :	MCI SHIRLEY (MEDIUM)	To	20050609
Block :	C-2		
Cell/Bed :	30 /30B		

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20050128 14:57	CI - Transfer from Club to Inmate A/c	4055457		SHI	~CANTEEN REFUND 1/25/05--W55424 CRYER,DEREK PERSONAL--KCN WASH ACCOUNT - Z5	\$18.50	\$0.00	\$0.00	\$0.00
20050201 22:30	CN - Canteen	4069900		SHI	~Canteen Date : 20050201	\$0.00	\$48.53	\$0.00	\$0.00
20050202 23:05	PY - Payroll	4078079		SHI	~20050116 To 20050122	\$5.00	\$0.00	\$0.00	\$0.00
20050208 22:30	CN - Canteen	4101854		SHI	~Canteen Date : 20050208	\$0.00	\$27.86	\$0.00	\$0.00
20050209 16:46	IS - Interest	4111250		SHI		\$0.44	\$0.00	\$0.00	\$0.00
20050209 23:05	PY - Payroll	4128225		SHI	~20050123 To 20050129	\$5.00	\$0.00	\$0.00	\$0.00
20050216 23:06	PY - Payroll	4160874		SHI	~20050130 To 20050205	\$5.00	\$0.00	\$0.00	\$0.00
20050222 22:30	CN - Canteen	4181133		SHI	~Canteen Date : 20050222	\$0.00	\$9.50	\$0.00	\$0.00
20050223 23:04	PY - Payroll	4189858		SHI	~20050206 To 20050212	\$5.00	\$0.00	\$0.00	\$0.00
20050301 22:30	CN - Canteen	4211705		SHI	~Canteen Date : 20050301	\$0.00	\$30.71	\$0.00	\$0.00
20050302 23:04	PY - Payroll	4221497		SHI	~20050213 To 20050219	\$5.00	\$0.00	\$0.00	\$0.00
20050309 23:04	PY - Payroll	4255703		SHI	~20050220 To 20050226	\$5.00	\$0.00	\$0.00	\$0.00
20050315 16:53	IS - Interest	4282358		SHI		\$0.58	\$0.00	\$0.00	\$0.00
20050316 23:06	PY - Payroll	4304241		SHI	~20050227 To 20050305	\$5.00	\$0.00	\$0.00	\$0.00
20050317 08:06	ML - Mail	4308392		SHI	~TRAV EXP# 53740421856--CRYER-GREEN, KIM,,	\$100.00	\$0.00	\$0.00	\$0.00
20050317 08:06	MA - Maintenance and Administration	4308393		SHI	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050322 22:30	CN - Canteen	4326396		SHI	~Canteen Date : 20050322	\$0.00	\$32.00	\$0.00	\$0.00
20050323 23:04	PY - Payroll	4336051		SHI	~20050306 To 20050312	\$5.00	\$0.00	\$0.00	\$0.00
20050325 09:47	EX - External Disbursement	4346407	48205	SHI	~DONATION--FEED THE CHILDREN	\$0.00	\$16.00	\$0.00	\$0.00
20050328 13:16	CI - Transfer from Club to Inmate A/c	4351777		SHI	~CANTEEN REFUND 3/22/05--W55424 CRYER,DEREK PERSONAL--KCN WASH ACCOUNT - Z5	\$3.70	\$0.00	\$0.00	\$0.00
20050329 22:30	CN - Canteen	4357958		SHI	~Canteen Date : 20050329	\$0.00	\$44.99	\$0.00	\$0.00
20050330 23:07	PY - Payroll	4367390		SHI	~20050313 To 20050319	\$5.00	\$0.00	\$0.00	\$0.00
20050405 22:30	CN - Canteen	4394363		SHI	~Canteen Date : 20050405	\$0.00	\$49.40	\$0.00	\$0.00
20050406 23:04	PY - Payroll	4404960		SHI	~20050320 To 20050326	\$5.00	\$0.00	\$0.00	\$0.00
20050408 09:58	EX - External Disbursement	4416870	48369	SHI	~PUBLIC RECORDS INFO REQUEST #04-119 ~COMMONWEALTH OF MASSACHUSETTS	\$0.00	\$87.00	\$0.00	\$0.00
20050408 09:58	MA - Maintenance and Administration	4416872		SHI	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050408 16:47	IS - Interest	4422321		SHI		\$0.72	\$0.00	\$0.00	\$0.00
20050413 23:05	PY - Payroll	4455864		SHI	~20050327 To 20050402	\$5.00	\$0.00	\$0.00	\$0.00

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF CORRECTION  
Inmate Transaction Report**

Date : 20050609 10:42

Commit# : W55424

MCI SHIRLEY (MEDIUM)

Page : 3

Name : CRYER, DEREK, ,

Statement From 20041201

Inst : MCI SHIRLEY (MEDIUM)

To 20050609

Block : C-2

Cell/Bed : 30 /30B

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20050420 23:14	PY - Payroll	4486380		SHI	--20050403 To 20050409	\$5.00	\$0.00	\$0.00	\$0.00
20050422 10:20	EX - External Disbursement	4496829	48562	SHI	--TELEPHONE BILL --VANESSA SWEENEY	\$0.00	\$50.00	\$0.00	\$0.00
20050510 22:30	CN - Canteen	4580206		SHI	--Canteen Date : 20050510	\$0.00	\$39.38	\$0.00	\$0.00
20050511 16:47	IS - Interest	4588748		SHI		\$0.32	\$0.00	\$0.00	\$0.00
20050512 09:08	ML - Mail	4610474		SHI	--RIVER WORKS CREDIT# 112862--BROOME, HATTIE, ,	\$75.00	\$0.00	\$0.00	\$0.00
20050512 09:08	MA - Maintenance and Administration	4610476		SHI	--Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20050516 08:05	ML - Mail	4619784		SHI	--TRAV EXP# 54112131502--CRYER-GREEN, KIM, ,	\$100.00	\$0.00	\$0.00	\$0.00
20050517 22:30	CN - Canteen	4629440		SHI	--Canteen Date : 20050517	\$0.00	\$49.89	\$0.00	\$0.00
20050524 22:30	CN - Canteen	4661983		SHI	--Canteen Date : 20050524	\$0.00	\$37.75	\$0.00	\$0.00
20050526 09:52	EX - External Disbursement	4675996	48952	SHI	--9 YR OLD B-DAY & PICTURES --DAWN GONZOLES	\$0.00	\$56.00	\$0.00	\$0.00
20050607 22:30	CN - Canteen	4729067		SHI	--Canteen Date : 20050607	\$0.00	\$9.81	\$0.00	\$0.00
20050609 08:01	ML - Mail	4743819		SHI	--TRAV EXP# 5400652305--CRYER-GREEN, KIM, ,	\$100.00	\$0.00	\$0.00	\$0.00
20050609 08:01	MA - Maintenance and Administration	4743821		SHI	--Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
						\$930.81	\$897.24	\$0.00	\$0.00

**Balance as of ending date :**  
**Personal \$120.25**  
**Savings \$0.00**

## Current Balances :

<b>Personal</b>	<b>Savings</b>	<b>Freeze</b>	<b>Loan</b>	<b>Restitution</b>	<b>Sentence</b>
\$120.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00